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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 JOHN TISDALE, No. C07-80051 MJJ

12 || Petitioner,

No. C07-80051 MJJ

## **ORDER TO SHOW CAUSE**

13 || v.

## 14 AMERICAN LOGISTICS SERVICES AND ABDUL RAHMAN AL-GHANIM.

## Respondents.

17 On February 13, 2007, Petitioner John Tisdale (“Petitioner”) filed a Petition for Entry of  
18 Judgment in Accordance with Declaration of Default Pursuant to 33 U.S.C. § 918(a). (Docket No.  
19  
20 1.) Petitioner filed this action seeking to enforce a Decision and Order of the Administrative Law  
21 Judge (“Decision”). On November 20, 2007, Respondents American Logistics Services and Abdul  
22 Rahman Al Ghanim (collectively, “Respondents”) submitted a Notice of Decision and Request for  
23 Denial of Petition (“Notice”). (Docket No. 14.) Respondents assert that Petitioner’s action is now  
24 moot because, on appeal, the Benefits Review Board vacated the Decision and remanded the matter  
25 for a new evidentiary hearing. (See Docket No. 12.) Petitioner filed a Motion for Reconsideration  
26 of the Benefits Review Board’s Order, and the Board denied Petitioner’s Motion. (See Notice, Exh.  
27 1.) Respondents contend that Petitioner requested that the Board immediately return the record to  
28 the Administrative Law Judge for further proceedings, thus showing that Petitioner does not intend  
to appeal the Benefits Review Board’s decision vacating the Decision. Petitioners assert, therefore,  
that there is nothing to enforce and this action is now moot.

**United States District Court**  
For the Northern District of California

1       For the foregoing reasons, the Court **ORDERS** Plaintiff to show cause, in writing, as to why  
2 this action is not moot. Failure to respond to this order, within 30 days, may result in the termination  
3 of this action.

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5 **IT IS SO ORDERED.**

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8 Dated: December 20, 2007

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MARTIN J. JENKINS  
UNITED STATES DISTRICT JUDGE